

KRAMER, DEBOER & KEANE
A LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS
27001 AGOURA ROAD, SUITE 350
CALABASAS, CA 91301
TELEPHONE (818) 657-0255

JEFFREY S. KRAMER, State Bar No. 094049
SANDRA CALIN, State Bar No. 100444
KRAMER, DEBOER & KEANE
A Limited Liability Partnership
Including Professional Corporations
27001 Agoura Road, Suite 350
Calabasas, California 91301
Tel: (818) 657-0255 - Fax: (818) 657-0256
jkramer@kdeklaw.com;
scalin@kdeklaw.com

Attorneys for Defendants, DARRICK ANGELONE, AONE CREATIVE, LLC
and ON CHAIN INNOVATIONS, LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

HIDDEN EMPIRE HOLDINGS, LLC;
a Delaware limited liability company;
HYPER ENGINE, LLC; a California
limited liability company; DEON
TAYLOR, an individual,

Plaintiffs,

v.

DARRICK ANGELONE, an
individual; AONE CREATIVE, LLC
formerly known as AONE
ENTERTAINMENT LLC, a Florida
limited liability company; ON CHAIN
INNOVATIONS, LLC, a Florida
limited liability company,

Defendants.

Case No. 2:22-cv-06515-MWF-AGR
Action Filed: September 12, 2022

**DEFENDANTS' MOTION IN
LIMINE #5 TO LIMIT TRIAL
TESTIMONY OF EXPERTS TO
OPINIONS TESTIFIED TO IN
DEPOSITION**

Pre-Trial Conference: December 22,
2025

Trial Date: January 13, 2026
Time: 8:30 a.m.
Dept.: 5A

COMES NOW, Defendants DARRICK ANGELONE, AONE CREATIVE, LLC and ON CHAIN INNOVATIONS, LLC, [hereinafter referred to collectively as "AONE"] by and through their attorneys of record, and submit this Motion in Limine to limit testimony by experts to those opinions testified to in deposition.

INTRODUCTION

Plaintiff's expert Erin Burke has not been deposed as of the filing of this Motion

KRAMER, DEBOER & KEANE
A LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS
27001 AGOURA ROAD, SUITE 350
CALABASAS, CA 91301
TELEPHONE (818) 657-0255

1 in Limine, however she will be deposed prior to the hearing of this Motion. It is
2 expected that Ms. Burke will offer certain testimony and opinions based on her work
3 in this case to date. By this Motion in Limine, Defendants ask the Court to limit her
4 testimony at trial to those opinions testified to in deposition, and to limit her testimony
5 to that evidence and documents relied upon for her opinions at her deposition.

6 **LEGAL ARGUMENT**

7 The use of expert testimony is governed by Federal Rules of Evidence 701 –
8 706 regarding the matters within the purview of expert testimony. Once an expert is
9 deposed and states certain opinions, and testifies that the opinions at the time of
10 deposition are all of the opinions formed, it would be patently unfair to then allow the
11 expert to state new opinions at trial which were not stated in deposition. *See, e.g.*
12 *Meyers v. City of Hermosa Beach* (2009) 2009 U.S.Dist. LEXIS 142357.

13 In *Jones v. Moore* (2000) 80 Cal.app.4th 557, 565, the Court held that exclusion
14 at trial of an expert witness's opinions beyond those expressed in deposition was
15 justified. The Court stated: "When an expert deponent testifies as to specific opinions
16 and affirmatively states that those are the only opinions he intends to offer at trial, it
17 would be grossly unfair and prejudicial to permit the expert to offer additional
18 opinions at trial." *Id.*

19 Therefore, the Court should limit the testimony of Plaintiffs' expert to those
20 matters – documents and evidence – reviewed prior to her deposition and to the
21 opinions testified to at deposition. As was stated in *Gallo v. Peninsula Hospital*
22 (1985) 164 Cal.App.3d 899, 903, "[t]he need for pretrial discovery as an aid to the
23 preparation of cross-examination and rebuttal is greater with respect to the expert
24 witness than it is in the case of an ordinary fact witness." As such, the Federal Rules
25 require the pretrial disclosure of an expert's complete and final opinions [Rule
26 26(a)(2)(B)] and the expert may be deposed regarding those opinions and the bases
27 for the same. To allow an expert to then form new opinions, or based the opinions on
28 new documents or evidence, would be highly prejudicial and contrary to the Federal

1 Rules and their intended purpose.

2 **V. CONCLUSION**

3 Based on the foregoing, Defendants respectfully request that the Court grant
4 this Motion in Limine and order that experts are to be limited to testimony at trial to
5 those matters testified to in their deposition.

6
7 DATED: December 1, 2025

KRAMER, DEBOER & KEANE

8
9
10 By: 

11 JEFFREY S. KRAMER

SANDRA CALIN

12 Attorneys for Defendants
13 DARRICK ANGELONE, AONE
14 CREATIVE, LLC, and ON CHAIN
15 INNOVATIONS, LLC
16
17
18
19
20
21
22
23
24
25
26
27
28

KRAMER, DEBOER & KEANE

A LIMITED LIABILITY PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS
27001 AGOURA ROAD, SUITE 350
CALABASAS, CA 91301
TELEPHONE (818) 657-0255

CERTIFICATE OF SERVICE

I am employed in Los Angeles County, California. I am over the age of 18 and not a party to this action; my business address is 27001 Agoura Road, Suite 350, Calabasas, CA 91301. My email address is ynelson@kdeklaw.com.

I certify that on December 1, 2025, I served: **DEFENDANTS' MOTION IN LIMINE #5 TO LIMIT TRIAL TESTIMONY OF EXPERTS TO OPINIONS TESTIFIED TO IN DEPOSITION** on the following parties or counsel of record as follows:

Felton T. Newell, Esq. Newell Law Group PC 1801 Century Park East, 24 th Floor Phone (310) 556-9663 E-mail: felton@newellpc.com ; christine@newellpc.com	<i>Counsel for Plaintiffs</i>
Justin Kian, Esq. J.T. Fox, Esq. LAW OFFICES OF JT FOX, APC 556 S. Fair Oaks Avenue, Suite 444 Pasadena, California 91105 Telephone: (888) 750-5530 Fax: (888) 750-5530 Email: jt@jtfoxlaw.com ; justin@jtfoxlaw.com	<i>Co-Counsel for Defendants</i>

By ECF/CM: I electronically filed an accurate copy using the Court's Electronic Court Filing ("ECF") System and service was completed by electronic means by transmittal of a Notice of Electronic Filing on the registered participants of the ECF System.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct. Executed at Sherman Oaks, California on December 1, 2025

Yolanda Nelson
Yolanda Nelson

<https://kdeklawllp.sharepoint.com/sites/LACASES/Shared Documents/LACASES/66/6604/PLEADINGS/MIL 5.docx>